

REMARKS

In the office action mailed August 23, 2004, claims 1-23 were pending and stand rejected. In this response, claims 1 and 20 have been amended. Claims 1-23 are now pending and presented for reconsideration herein as follows.

Claim 1 was rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the limitation “said recess” in line 10 was asserted to lack antecedent basis. Claim 1 has been amended to delete “said recess” in line 10, and to recite the relationship between the striker member and the recess in lines 11 and 12. The amendment to claim 1 is not a narrowing amendment since limitations or elements have not been added. Rather, the wording has been re-ordered to provide antecedent basis and improve readability and form of the claim. Accordingly, withdrawal of this basis of the rejection of claim 1 is respectfully requested.

Claim 20 has been amended to include an “and” in line 8 and to correct a typographical error in line 11. Line 9 has been amended to clarify that the recess is formed by the casing.

Claims 1-23 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 3,609,904 to Scanlon. In Fig. 1 Scanlon shows a casing 12 having an end wall 24 and central recess 27 forming a narrow section 28. Molded propellant 52 includes primer 56 in a second recess formed in the rearward wall of molded propellant 52. There is no projection extending from casing 12 that extends into the interior of casing 12 to form a recess that receives a primer.

Scanlon also discloses in Fig. 5 a shotgun shell having a body member 78 and a breach end “closed off by a plastic propellant-primer cup 82 having a central recess 84” for receiving a firing pin. The plastic cup 82 “is attached to the body by any well-known means....” Annular support flange 88 is integrally formed with “the inside wall of the body casing 78” and supports a molded propellant charge 90 and wad column-shot container 92. *See* col. 5, lines 46-63. In Fig. 5, the primer is shown placed in a second recess formed in the rearward wall of the molded propellant charge 90. Flanges 88 are

provided to support the molded propellant charge, and do not form any recess that receives priming composition.

Amended claim 1 recites that the a firearm cartridge comprises a casing including “a generally cylindrical wall extending between a forward end and an opposite end member; a hollow interior formed by said wall and said end member; a projection in said hollow interior extending along said end member, at least a portion of said projection being spaced from said end member; said end member including an outer end surface at a rearward end thereof and a receptacle formed in said end member opening at said outer end surface, said receptacle extending forwardly into said end member to a striker member, said striker member being integral with said end member; a recess formed between said projection and said end member, said striker member extending along said recess, said recess including an end formed between said projection and said end member, said end extending about said receptacle and said striker member; and priming composition in said recess, wherein said striker member is deformable by a firing pin positioned in said receptacle to compress said priming composition in said recess.” As discussed above, Scanlon fails to disclose any priming composition recess formed between a projection and an end member of the casing. In contrast, in Fig. 1 the casing does not have any projection. In Fig. 5, the flange 88 retains propellant charge 90 in position in the priming cup, but does form a recess with the end member of the casing to receive priming composition. The only recess for receiving priming composition disclosed in Scanlon is formed in the rearward wall of the propellant charge, which is not a part of the casing nor is formed by the end member and flanges 88. Accordingly, Scanlon fails to disclose at these elements arranged as recited in claim 1, and withdrawal of this basis of the rejection is respectfully requested.

Claims 2-11 depend from claim 1 and are allowable at least because claim 1 is allowable and for other reasons. For example, Scanlon does not disclose a projection integrally formed with or extending from an inner surface of the end member. Rather, flange 88 extends from the side wall of the casing. Accordingly, withdrawal of the rejection of claims 2-11 is respectfully requested.

Claim 12 recites a firearm cartridge comprising a casing including “a generally cylindrical wall extending between a forward end and an opposite rearward end member; a hollow interior formed by said wall and said end member; said end member including a rearwardly facing outer end surface at a rearward end thereof and a receptacle formed in said end member opening at said outer end surface, said receptacle extending forwardly into said end member to a striker member integral with said end member; a projection in said hollow interior extending along said end member, at least a portion of said projection being spaced forwardly from said end member; and a recess for receiving priming composition between said projection and said end member, said recess being spaced forwardly of said striker member and extending to an end extending about said striker member.” As discussed above, Scanlon fails to disclose any priming composition recess between a projection and an end member of the casing. In Fig. 1, the casing does not have any projection. In Fig. 5, the flange 88 retains propellant charge 90 in position in the priming cup, but is not arranged to positioned so that a recess between flange 88 and the end member received priming composition. The only recess for receiving priming composition disclosed in Scanlon is formed in the rearward wall of the propellant charge, which is not a part of the casing and which recess is not located between flange 88 and the end member. Accordingly, Scanlon fails to disclose at these elements and the arrangement of the same as recited in claim 12, and withdrawal of this basis of the rejection is respectfully requested.

Claims 13-19 depend from claim 12 and are allowable at least because claim 1 is allowable and for other reasons. For example, Scanlon does not disclose a projection integrally formed with or extending from an inner surface of the end member. Rather, flange 88 extends from the side wall of the casing. Accordingly, withdrawal of the rejection of claims 13-19 is respectfully requested.

Claim 20 recites a “firearm cartridge, comprising a casing including: a generally cylindrical wall extending between a forward end and an opposite rearward end member; a hollow interior formed by said wall and said end member; said end member including a rearwardly facing outer end surface at a rearward end thereof and a receptacle formed in said end member opening at said outer end surface, said receptacle extending forwardly

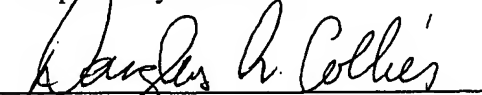
into said end member to a forward end wall, said forward end wall of said receptacle being integral with said end member; a recess in said end member for receiving a priming composition, said recess being positioned forwardly of said forward end wall of said receptacle and extending about said receptacle and said forward end wall.” As discussed above, Scanlon fails to disclose any priming composition recess that is formed in an end member of the casing. The only recess for receiving priming composition disclosed in Scanlon is formed in the rearward wall of the propellant charge, which is not a part of the casing. Accordingly, Scanlon fails to disclose at least these elements and their arrangement as recited in claim 20, and withdrawal of this basis of the rejection is respectfully requested.

Claims 21-23 depend from claim 20 and are allowable at least for the reasons claim 20 is allowable and for other reasons. For example, Scanlon does not disclose a projection extending from or integrally formed with the end member of the casing. Rather, flange 88 extends from the side wall of the casing. Accordingly, withdrawal of the rejection of claims 21-23 is respectfully requested.

It is believed that claims 1-23, as amended, are in condition for allowance. The amendments are not believed to introduce new matter or limit the scope of coverage available under the Doctrine of Equivalents. Reconsideration of the present application as amended is respectfully requested. Action towards a notice of allowance for this application, including claims 1-23 is hereby solicited.

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